

Remarks

Reconsideration of this Application is respectfully requested. Claims 1-18, 26, and 27 are pending in the application, of which claims 1 and 10 are independent. By the foregoing Amendment, claims 1 and 10 are sought to be amended. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 112

The Examiner, on page 4 of the Office Action, has rejected claims 1 and 10 under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. The Examiner states the omitted step as being “encrypting the digital media content.” Applicants respectfully disagree. Applicant’s invention does not require the step of “encrypting the digital media content” because the digital content is being retrieved. Applicant retrieves the digital content in either an encrypted state or a non-encrypted state. If the state is an encrypted state, then a license is obtained to enable the encrypted digital content to be decrypted. Thus, “encrypting the digital media content” is not a required step of the present invention because the digital media content is being retrieved in one of an encrypted state or a non-encrypted state. To expedite prosecution, Applicants have amended claims 1 and 10 to make clear that the digital media content is retrieved in one of an encrypted state or a

non-encrypted state. Applicants therefore respectfully request that the Examiner withdraw this rejection.

Rejection under 35 U.S.C. § 103

The Examiner, on page 5 of the Office Action, has rejected claims 1-3, 6-12, and 15-18 under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 5,892,900 to Ginter. Applicants respectfully traverse this rejection. Based on the remarks set forth below, Applicants respectfully request that this rejection be reconsidered and withdrawn. Please note that the Examiner, on page 4 of the Office Action, titles this rejection as “***Claim Rejections – 35 USC § 103***”, but rejects these claims in paragraph 13 as being anticipated by Ginter. Applicants believe this rejection to be confusing since it uses language representative of a 102 rejection, but lists the rejection as a 103 rejection. Applicants request that this rejection be clarified by the Examiner so that Applicants can provide a clear response to either a 102 rejection or a 103 rejection.

With respect to independent claim 1, the Examiner states that Ginter teaches every element of the claim. Applicants respectfully disagree. Applicants respectfully submit that Ginter does not appear to teach Applicants element of: “issuing, by a local license server, the license to the one or more rendering devices according to the usage rules of the license, wherein the digital media content is capable of being shared amongst the rendering devices.” In fact, Ginter cannot teach this element because Ginter does not appear to teach a local license server.

For at least these reasons, Applicants respectfully submit that the present invention, as recited in claim 1, is patentable over Ginter. Independent claim 10 also

recites similar elements to those of claim 1. Therefore, independent claims 1 and 10, and the claims that depend therefrom (claims 2-9 and 26, and 11-18 and 27, respectively), are patentable over Ginter. Reconsideration and withdrawal of this rejection is respectfully requested.

The Examiner, on page 9 of the Office Action, has rejected claims 3-5 and 12-14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,892,900 to Ginter in view of U.S. Patent Application No. 20050066353 to Fransdonk. Applicants respectfully traverse this rejection. Claims 3-5 and 12-14 depend from independent claims 1 and 10, respectively, and are patentable over Ginter for at least the reasons stated above. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 3-5 and 12-14.

The Examiner, on page 10 of the Office Action, has rejected claims 4, 5, 13, and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,892,900 to Ginter. As indicated above, claims 4, 5, and 13, 14 depend from independent claims 1 and 10, respectively, and are patentable over Ginter for at least the reasons stated above. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 4, 5, 13, and 14.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all currently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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